

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA

AMERICAN TILE & MARBLE CO., )  
Plaintiff, ) Case No. 8:13-cv-00089-JFB-TDT  
v. )  
ALL GRANITE & MARBLE CORP., )  
Defendant. )

**ORDER**

This matter is before the court on the parties' Stipulation of Dismissal with Prejudice ([Filing No. 56](#)). The court finds that the parties' joint stipulation should be granted in accordance with Fed. R. Civ. P. 41(a).

**IT IS ORDERED** that the parties' joint stipulation ([Filing No. 56](#)) is granted and this case is dismissed with prejudice, as regards Plaintiff American Tile & Marble Co., each party to bear its own costs. This case is dismissed without prejudice with regard to the members of the putative, uncertified, class.

Dated: February 23, 2015

BY THE COURT:

s/ Joseph F. Bataillon  
Joseph F. Bataillon  
Senior United States District Judge